

**IN THE CIRCUIT COURT OF HARRISON COUNTY, WEST VIRGINIA**

Zachary L. Bowen  
3671 Coburn Fork Road  
Bristol, West Virginia 26426,

Plaintiff,

v.

Hiteland Transportation LLC  
144 Eckenrode Mill Road  
Chest Springs, Pennsylvania 16624,

and

Lewis L. Reeger, Jr.  
1119 Brink Road  
Irvona, Pennsylvania 16656,

Defendants.

CIVIL ACTION No. 17-c-201-3  
Judge Mathis

**SERVE:** Matthew C. Schrebe, Esq.  
Gipriani & Werner P.C.  
1144 Market Street, Suite 300  
Wheeling, West Virginia 26003  
Counsel for Defendants

FILED IN 15TH  
CIRCUIT COURT  
2017 JUN 14 A 10:19

**COMPLAINT**

**COMES NOW**, the Plaintiff, Zachary L. Bowen, by and through his Counsel, Joseph P. Underwood, Esq., and states to this Honorable Court, as follows, his Complaint for damages suffered through the actions of the above-styled Defendants.

**VENUE AND JURISDICTION**

1. At all times relevant to this Action, Plaintiff, Zachary L. Bowen, was and currently is a resident of Harrison County, West Virginia.
2. Upon information and belief, Defendant, Hiteland Transportation LLC was, and currently is a limited liability company located and doing business in the Commonwealth of Pennsylvania.



3. Upon information and belief, Defendant Lewis L. Reeger, Jr., an agent, servant, and/or employee of Defendant Hiteland Transportation LLC and acting within the scope of employment at the time of the action giving rise to the instant Complaint, was, and currently is a resident of the Commonwealth of Pennsylvania.

4. The cause of action stated herein arose from Defendants' acts and omissions on or about June 15, 2017 at or around southbound mile marker 119 on U.S. Highway I-79 in Clarksburg, which is located in Harrison County, West Virginia.

5. Venue is proper before this Honorable Court, pursuant to West Virginia Code §56-1-1(a) (2004).

#### **FACTS**

6. On or about June 15, 2015, at approximately 8:43 a.m., Plaintiff, Zachary L. Bowen, was operating a 2010 F-250 truck owned by Plaintiff's employer, Energy Land & Minerals, Inc., and bearing a West Virginia license plate number 6RN578, and Plaintiff was stopped in southbound traffic on U.S. Highway I-79 at or around mile marker 119 on said highway.

7. Also at said time and place, Defendant Lewis L. Reeger, Jr., was operating a 2003 International tractor and trailer truck owned and maintained for business purposes by Defendant Hiteland Transportation LLC., and bearing a Pennsylvania license plate number AG37859, and Defendant Reeger also was driving southbound on U.S. Highway I-79 at or around mile marker 119 on said highway.

8. At all times mentioned in this Complaint, Defendant Lewis L. Reeger, Jr., was an agent, servant and/or employee of Defendant Hiteland Transportation LLC.

9. At the aforesaid time and place Defendant Lewis L. Reeger, Jr., while acting within the scope of his employment with Defendant Hitland Transportation LLC, failed to slow for stopped traffic and jack-knifed Defendant's tractor and trailer truck, which collided into the rear of Plaintiff's vehicle, which was stopped on U.S. Highway I-79. Upon the impact of Defendant Reeger's truck, Plaintiff's truck then was forced into the vehicle directly in front of it, causing significant damage to all of the involved vehicles.

10. Upon information and belief, and as a result of the accident, Defendant Lewis L. Reeger, Jr., was cited by the Clarksburg (WV) City Police for failure to maintain control of his vehicle, and for operating at a speed greater than reasonable and prudent.

11. At the time and place mentioned above, the Defendants owed Plaintiff a duty to provide the standard of care that an ordinary, prudent person would provide in similar circumstances.

12. By the negligent and careless operation of the vehicle owned by Defendant Hitland Transportation LLC, and operated by its agent, servant, and/or employee, Defendant Lewis L. Reeger, Jr. in the course of his employment with Hitland, and by Defendant Reeger failing to come to a stop behind the Plaintiff so as to cause Defendant Hitland's truck to collide into the back of the vehicle operated by Plaintiff, the Defendants breached their duty of care to Plaintiff.

13. As the direct and proximate cause of the negligence of Defendant Hitland Transportation LLC, and its agent, servant, and/or employee, Defendant Lewis L. Reeger, Jr., as stated above, the Plaintiff suffered severe injuries to his mind and body, including, but not limited to, a concussion; head, neck, and back injuries; rib injuries; multiple contusions and cuts; and pain, suffering, and mental anguish.

14. The injuries that the Plaintiff sustained as a result of Defendants' negligence currently remain under treatment, and are permanent in nature. The Plaintiff has suffered great physical

and mental pain and anguish, loss of enjoyment of life, mental anguish, and disfigurement, and in all reasonable probability, will continue to suffer in this manner for a considerable time into the future, if not for the balance of his natural life.

15. As a further result of the above negligent acts committed by the Defendants, the Plaintiff has incurred substantial medical expenses for medical care and attention, and will continue to incur additional medical expenses into the foreseeable future.

16. In addition, the plaintiff has suffered economic injury and will likely continue to suffer such economic injury.

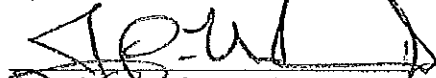
**WHEREFORE**, the Plaintiff, Zachary L. Bowen, prays that he be awarded the sum of Three Hundred Thousand Dollars (\$300,000.00), together with the costs of this action, and such other and further relief as this Honorable Court may deem just and proper.

Plaintiff demands a trial by jury in this matter.

Respectfully submitted,

**ZACHARY L. BOWEN, Plaintiff**

By Counsel,



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